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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,675	08/24/2001	Toshiyuki Tamura	IDE.006	3440

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EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,675

Applicant(s)

TAMURA, TOSHIYUKI

Examiner

Simon Sing

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7 is/are allowed.
- 6) ☒ Claim(s) 1 and 8-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1 and 8-12 and 19 are rejected under 35 U.S.C. 102(a) as being anticipated by Siemens Tdoc N4-000868.

1.1 Regarding claims 1, 8, 10 and 12, Siemens discloses a method for transcoder free operation (TrFO) during a handoff. Siemens teaches a mobile switching center, or MSC and a mobile switching gateway, or MGW (first network, or switching node) for establishing a TrFO (second mode) connection between two radio network controllers (RNC) RNC A and RNC B (second network). When a user A moved from to a new RNC A', a transcoder is inserted (first mode) into the new path, and the MGW aligns the mapping of A' RFCI with A RFCI by sending a initiating message INIT with A-RFCI map to RNC A' (inquiring new RFCI information from the new RNC A', whether the new RFCI information can be mapped (changed) to the previous RFCI of RNC A), when RNC A' sends back a INIT ACK message (mapped to the RFCI of RNC A) which indicates that

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the setting information between the new RNC A' and the transcoder can be changed to a TrFO setting, that is, RFCI A' = RFCI A, and a new TrFO connection is established (Siemens, section 2.2; figure 6, step 7; figure 7, last step; and Applicant's Specification, page 5, lines 20 to page 6, line 3).

1.2 Regarding claim 9 and 11, Siemens teaches RFCI information (figure 6, step 7).

1.3 Regarding claim 19, Siemens teaches lu interface (figure 6, step 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siemens Tdoc N4-000868 in view of Applicant's disclosure (Background of the Invention).

2.1 Regarding claim 13, Siemens teaches RFCI information, but fails to teach an Adaptive Multi Rate Codec (AMR) coding system.

However, the Applicant discloses that prior art that AMR has been proposed as the compression coding system and the assignment of the coding frame of the ARM is performed by transmitting a RFCI information (Specification, page 4, lines 4-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Siemens' reference with the background disclosure, so that the RFCI is an AMR coding system, because such a modification would have clarified what a RFCI was.

2.2 Regarding claim 14, it is inherent that in order for the MGW to have the RFCI information of RNC A, it has to inquiry the RFCI information from RNC A (see figure 6, step 4 of Tdoc N4-000476 submitted by the Applicant as IDS).

2.3 Regarding claim 15, Siemens teaches a relocation request to the RNC A' in step 4, figure 6.

2.4 Regarding claim 16, as discussed in claim 13, Siemens teaches sending an initialization message (INIT) to the RNC A' for mapping (setting) its RFCI to the RNC A (figure 6, step 7).

2.5 Regarding claim 17, Siemens teaches sending back an acknowledge (ACK) message (figure 6, step 7).

2.6 Regarding claim 18, Siemens teaches receiving INIT ACK from RNC A' (figure 6, step 7), and the transcoder is release to maintain a TrFO (figure 7, last step, TrFO operation A'-B).

Allowable Subject Matter

3. Claims 2-7 and allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

4.1 Independent claims 2 and 5 disclose a system, comprising a core network and a radio access network, operates in both transcoder mode and transcoder free (TrFO) mode. When a communication between an originating terminal and a terminating terminal is in TrFO mode, and the originating terminal moves to a new radio network controller (RCN), a transcoder is inserted in the path (see figure 2). The core network then inquires the new RCN whether or not the setting information of the inserted transcoder can be changed so that setting information at its input is same as its output. If the result is yes, a TrFO is established.

The closest prior art of Siemens, teaches TrFO connections between two mobiles stations. When one of the mobile stations moves to a new RNC, a transcoder is inserted between the new RNC and a MSC to inquire RFCI information of the New RNC. If the RFCI information is the same as previous one, a new TrFO connection is

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established. Since Siemens teaches inserting a transcoder between a RNC (with compressed signals) and a MSC (with non-compressed signals), the setting information at the input and out of the transcoder cannot be the same.

4.2 Claims 3, 4, 6 and 7 are dependents of claims 2 and 5, and therefore are allowed.

Response to Arguments

5. Applicant's arguments with respect to claims 1 and 8-11 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

A handwritten signature in black ink, appearing to be 'S. Sing', with a stylized, cursive script.

S. Sing

07/15/2005

A handwritten signature in black ink, appearing to be 'Fan Tsang', with a stylized, cursive script.

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600